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Cc: Flanagan, Sarah[Flanagan.Sarah@epa.gov]; Zizila, Frances[Zizila.Frances@epa.gov]; Kate Barfield - NOAA Federal[kate.barfield@noaa.gov]; Mark Barash[mark.barash@sol.doi.gov]; Kimberly Katzenbarger - NOAA FEDERAL[kimberly.katzenbarger@noaa.gov]
From: Lawrence, J. Alexander
Sent: Wed 11/9/2016 11:28:53 PM
Subject: RE: In re Maxus Energy Corporation (Doc# 373, Bankr. D. Del. 1:16-bk-11501)

Don,

The Debtors have no issues with your proposed changes to the protocol including the reservation of rights on objections to the timing of any hearing on the settlement motion.

Please let us know if anyone else has comments on the protocol.

Regards,

Alex.

From: Frankel, Donald (ENRD) [mailto:Donald.Frankel@usdoj.gov]
Sent: Tuesday, November 08, 2016 4:05 PM
To: Lawrence, J. Alexander; Gordon, David L. (ENRD); Bleiberg, Benjamin; Kathy D. Patrick - Gibbs & Bruns LLP (kpatrick@gibbsbruns.com); Shore, Christopher; Denman, Harrison; Harris, Adam (Adam.Harris@srz.com); lucy.kweskin@srz.com; Vazquez, Francisco; Kohn, Samuel; Hall, Thomas J.; Anthony N. Kaim; DiConzaM@gtlaw.com; Doyen, Michael; Roth, Jerome; Giampapa, Christopher; Godnick, Howard
Cc: Flanagan, Sarah; Zizila, Frances; Kate Barfield - NOAA Federal; Mark Barash; Kimberly Katzenbarger - NOAA FEDERAL
Subject: RE: In re Maxus Energy Corporation (Doc# 373, Bankr. D. Del. 1:16-bk-11501)

- External Email -

Alex:

Enclosed are our comments on the discovery protocol. We agree with the Creditors' Committee that the Court should not adjudicate the settlement motion until such time as the Court is also adjudicating whether to confirm a plan.

Don

From: Lawrence, J. Alexander [<mailto:ALawrence@mofo.com>]
Sent: Tuesday, October 25, 2016 5:51 PM
To: Gordon, David L. (ENRD) <DGordon@ENRD.USDOJ.GOV>; Frankel, Donald (ENRD) <DFrankel@ENRD.USDOJ.GOV>; Bleiberg, Benjamin <BBleiberg@chadbournel.com>; Kathy D. Patrick - Gibbs & Bruns LLP (<kpatrick@gibbsbruns.com>); Shore, Christopher <cshore@whitecase.com>; Denman, Harrison <harrison.denman@whitecase.com>; Harris, Adam (<Adam.Harris@srz.com>); <Adam.Harris@srz.com>; <lucy.kweskin@srz.com>; Vazquez, Francisco <FVazquez@chadbournel.com>; Kohn, Samuel <SKohn@chadbournel.com>; Hall, Thomas J. <THall@chadbournel.com>; Anthony N. Kaim <akaim@gibbsbruns.com>; DiConzaM@gtlaw.com; Doyen, Michael <Michael.Doyen@mto.com>; Roth, Jerome <Jerome.Roth@mto.com>; Giampapa, Christopher <Christopher.Giampapa@srz.com>; Godnick, Howard <Howard.Godnick@srz.com>
Subject: RE: In re Maxus Energy Corporation (Doc# 373, Bankr. D. Del. 1:16-bk-11501)

Counsel,

Attached is a revised version of a discovery protocol with which the Debtors plan to move forward. Since we last circulated a draft of the protocol, the Debtors have engaged in discussions with the Creditors' Committee regarding the protocol, and while we do not have agreement with the Creditors' Committee on the form, we have incorporated certain comments from the Creditors' Committee. For instance, per the suggestion of the Creditors' Committee,

we have incorporated plan confirmation discovery into the protocol.

We plan to move for entry of the protocol at the next hearing in November. We remain open to comments on the protocol with the hopes that we can reach a consensus with all parties in interest.

Regards,

J. Alexander Lawrence

Morrison & Foerster LLP

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From: Lawrence, J. Alexander

Sent: Thursday, October 06, 2016 2:44 PM

To: Gordon, David L. (ENRD); Frankel, Donald (ENRD); Bleiberg, Benjamin; Kathy D. Patrick - Gibbs & Bruns LLP (kpatrick@gibbsbruns.com); Shore, Christopher; Denman, Harrison; Harris, Adam (Adam.Harris@srz.com); lucy.kweskin@srz.com; Vazquez, Francisco; Kohn, Samuel; Hall, Thomas J.; Anthony N. Kaim; DiConzaM@gtlaw.com; Doyen, Michael; Roth, Jerome; Giampapa, Christopher; Godnick, Howard

Subject: RE: In re Maxus Energy Corporation (Doc# 373, Bankr. D. Del. 1:16-bk-11501)

Counsel,

Attached is a revised version of the proposed Protocol with some minor revisions. We look forward to any comments that you may have.

Regards, Alex.

From: Lawrence, J. Alexander

Sent: Tuesday, October 04, 2016 10:48 AM

To: Gordon, David L. (ENRD); Frankel, Donald (ENRD); Bleiberg, Benjamin; Kathy D. Patrick - Gibbs & Bruns LLP (kpatrick@gibbsbruns.com); Shore, Christopher; Denman, Harrison; Harris, Adam (Adam.Harris@srz.com); lucy.kweskin@srz.com; Vazquez, Francisco; Kohn, Samuel; 'Hall, Thomas J.'; 'Anthony N. Kaim'; 'DiConzaM@gtlaw.com'; 'Doyen, Michael'; 'Roth, Jerome'; 'Giampapa, Christopher'; 'Godnick, Howard'

Subject: In re Maxus Energy Corporation (Doc# 373, Bankr. D. Del. 1:16-bk-11501)

Counsel,

We are writing in connection with the Debtors' Motion for Entry of an Order (A) Approving the Settlement Agreement by and among the Debtors, YPF S.A., YPF International S.A., YPF Holdings, Inc., CLH Holdings, Inc. and YPF Services USA Corporation, and (B) Granting Related Relief [D.I. 300] (the "Settlement Motion").

As you know, the Creditors' Committee is currently conducting its own investigation to the claims that are being resolved as part of the Settlement Motion and no hearing or objection deadline has yet been set with respect to that Motion.

On Friday, September 30, 2016, we received the Notice of Depositions served by Occidental Chemical Corporation in connection with the Settlement Motion seeking six depositions under both Rule 30(b)(1) and 30(b)(6).

We anticipate that a number of parties will want to take depositions of the same witnesses in connection with the Settlement Motion including each of the parties whose counsel are addressed and perhaps others. In that regard, the Debtors are of the view that it would be most efficient to agree upon a discovery protocol in connection with the Settlement Motion to ensure that discovery in connection with the Settlement Motion is orderly and efficient.

To that end, attached is a proposed discovery protocol for your review and consideration. We

plan to seek to put the issue of the need for such a protocol on the agenda for the hearing on October 19. We look forward to any thoughts you may have in regards to the proposed protocol.

Regards,

J. Alexander Lawrence

Morrison & Foerster LLP

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